

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**May 24, 1999**

## DIVISION ONE

B121100 People (Not for Publication)  
v.  
Jones

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Masterson, J.

B114451      Romero                          (Not for Publication)  
v.  
Manriquez

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The order is affirmed. The estate is awarded its costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Masterson, J.

B114164	Valley Investment Associates v. CalFarm Insurance Company	(Not for Publication)
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The judgment is affirmed. CalFarm is entitled to its costs of appeal.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Masterson, J.

## DIVISION ONE (Continued)

B129315 Hood (Certified for Publication)

V.

Superior Court, Los Angeles County  
(Sears, Roebuck & Co., r.p.i.)

Let a peremptory writ issue commanding the trial court to vacate its reference orders and to place the discovery disputes back on calendar for decision by the trial court. Hood is to pay his own costs of this writ proceeding.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Masterson, J.

B129730 Valet Parking Service, Inc. (Not for Publication)

V.

Superior Court, Los Angeles County  
(Edward Praeger, et al., r.p.i.)

The Court:

THEREFORE, let a peremptory writ issue, commanding respondent superior court to vacate its order of February 4, 1999, in Los Angeles Superior Court case No. SC051598, entitled Edward Praeger et al. v. Omar Perez et al., and to issue a new and different order as follows: (1) granting summary adjudication of the issue that Valet Parking Service, Inc., owed a duty to Edward Praeger and Lea Praeger, and (2) denying summary adjudication of the issues of breach of duty, causation, and comparative fault. In all other respects, the petition is denied. All parties shall bear their own costs.

Spencer, P.J., Vogel(Miriam A.), J., Masterson, J.

DIVISION TWO

[illegible]

The judgment is reversed. The trial court is directed to conduct an in camera hearing on appellant's discovery motion consistent with this opinion. If the in camera hearing reveals no discoverable information which would lead to admissible evidence helpful to appellant's defense, the trial court shall reinstate the original judgment. If the in camera hearing reveals discoverable information which could lead to admissible evidence helpful to appellant in defense of the charge, the trial court shall grant the requested discovery and order a new trial.

Boren, P.J.

We concur: Nott, J.  
Zebrowski, J.

## DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

Each of the following:

B110977 People v. Sowell  
B124444 People v. Ramirez  
B130268 Debra W. v. S.C.L.A.  
B121180 People v. Hodges

Argument waived, cause submitted.

B121130 People  
v.  
Carrillo

Merits:  
Argued by Robert D. Coppola, Jr. for appellant and by John Yang, deputy attorney general, for respondent. Cause submitted.

DIVISION THREE (Continued)

B083480 Rygiol et al.  
v.  
Bench

Merits:

Argued by Henry Rygiol for appellants and by David L. Sharp for respondent. Cause submitted.

B117203 Kalivas  
v.  
Barry Controls

Merits:

Argued by Yolanda Rodriguez for appellant and by Brent Giddens for respondent. Cause submitted.

B118129 People  
v.  
Renteria

Merits:

Argued by Jerald W. Newton for appellant and by Ronald A. Jakob, deputy attorney general, for respondent. Cause submitted.

B125630 Andersen  
v.  
National Association Securities et al.

Merits:

Argued by Nancy B. Duffy for appellant and by Teri Nelson and David Bartholomew for respondents. Cause submitted.

B126119 Hightower  
v.  
O'Dowd

Merits:

Argued by Frank E. Merideth for appellant and by Robin Meadow for respondent. Cause submitted.

DIVISION THREE (Continued)

B118078      Lampone  
                 v.  
                 St. John's Hospital & Health Center

Merits:  
Argued by James Jordan for appellant and by Lee L. Blackman for respondent. Cause submitted.

B120729      Miles  
                 v.  
                 Miles

Merits:  
Argued by Jeffrey W. Doeringer and Janette Cochran for appellants and by David Ridenour for respondent. Cause submitted.

The Court recessed at 1:15 P.M.

The court reconvened at 2:00 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

B125935      Renfrew  
                 v.  
                 Interscience Computer Corp.

Merits:  
Argued by John P. Pringle for respondent and by Linda T. Pierce for appellant. Cause submitted.

B118972      Transcomp Systems, Inc.  
                 v.  
                 HBJJ, Inc.

Merits:  
Argued by Julian A. Pollok for appellant and by Andrew M. Sussman for respondent. Cause submitted.

### DIVISION THREE (Continued)

B119075      Davis & Thomas  
v.  
Freis

Merits:  
Argued by Gregory Gorman for appellant and by Paul Hoffman for respondent. Cause submitted.

B124603 Basanda  
v.  
Gobrial et al.

Merits:  
Argued by Ronald P. Kaplan and Edward Friedman for appellant and by  
Russell S. Woodward for respondent. Cause submitted.

B117237      Hanson  
v.  
Lucky Stores, Inc.

Merits:  
Argued by Gary Jackson for appellant and by W. Michael Battle for respondent. Cause submitted.

The court adjourned at 3:50 P.M.

## DIVISION FOUR

B124672      People      (Not for Publication)  
v.  
Carlos Vasquez

For the foregoing reasons, the judgment is modified to reflect a conviction of misdemeanor unlawful sexual intercourse in violation of Penal Code section 261.5, subdivision (a), and the matter is remanded for the sole purpose of resentencing in accord with this modification.

Curry, J.

We concur:   Vogel (C.S.), P.J.

May 24, 1999-Continued

Hastings, J.

## DIVISION FOUR (Continued)

B121357      People                                  (Not for Publication)  
v.  
Michael Alfred Fanelli

For the foregoing reasons, the judgment is modified to impose a fine in the sum of \$200 pursuant to Penal Code section 1202.4, subdivision (b), to impose and suspend a fine in the sum of \$200 pursuant to Penal Code section 1202.45, to impose two laboratory analysis fees in the sum of \$50 each pursuant to Health and Safety Code section 11372.5, to impose two penalty assessments in the sum of \$50 each pursuant to Penal Code section 1464 and to impose two penalty assessment in the sum of \$35 each pursuant to Government Code section 76000. As modified the judgment is affirmed. The Superior Court is directed to prepare an amended abstract of judgment in accord with this modification.

Vogel (C.S.), P.J.

We concur: Hastings, J.  
Curry, J.

DIVISION FIVE

B116477      Bruce Scott Keller et al.      (Not for Publication)  
v.  
United Services Automobile Association

The appeal is dismissed.

Godoy Perez, J.

We concur:   Turner, P.J.  
                      Grignon, J.

## DIVISION FIVE (Continued)

B122387 People (Not for Publication)  
v.  
Robert Heard and Kenneth Moore

We direct the clerk of the superior court to amend Heard's abstract of judgment to reflect a \$1,000 parole revocation fine under section 1202.45, which is to be suspended unless he violates parole. We direct the clerk of the superior court to amend Moore's abstract of judgment to reflect one life sentence with the possibility of parole after a minimum of 14 years and a \$1,000 parole revocation fine under section 1202.45, which is to be suspended unless he violates parole. As modified, both judgments are affirmed.

Godoy Perez, J.

We concur:   Turner, P.J.  
                     Grignon, J.

B124840      People                                  (Not for Publication)  
v.  
Andre C. Allen

The judgment is modified to state that pursuant to section 1202.45, a parole revocation fine of \$200 is imposed, but suspended until such time as Allen is placed on parole, then later has that parole revoked. In all other respects, the judgment as modified is affirmed. The clerk of the superior court is directed to prepare an amended abstract of judgment consistent with this opinion, then deliver a copy of the corrected abstract of judgment to the Department of Corrections.

Godoy Perez, J.

We concur: Grignon, Acting P.J.  
Armstrong, J.

DIVISION SIX

B127341 People (Not for Publication)  
v.  
Carter

The judgment is affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.  
Coffee, J.

B114341      Pruitt      (Not for Publication)  
v.  
General Motors Corp.

The judgment is affirmed. Costs are awarded to respondent.

Gilbert, Acting P.J.

We concur: Yegan, J.  
Coffee, J.

B130258      Lee Ann F.      (Not for Publication)  
v.  
San Luis Obispo County Superior Court  
San Luis Obispo County Department of Social Services

The petition is denied.

Coffee, J.

We concur:    Gilbert, Acting P.J.  
                      Yegan, J.

## DIVISION SEVEN

B117786      Smillie                                  (Not for Publication)  
v.  
Long Beach Memorial Medical Center

The judgment is reversed. Appellant is awarded her costs on appeal.

Johnson, J.

We concur:   Lillie, P.J.  
                      Neal, J.

[illegible]

The judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.  
Neal, J.

B117071      La Fianza      (Not for Publication)  
v.  
Department of Social Services

The judgment is reversed. Appellant to recover costs on appeal.

Woods, J.

We concur:   Lillie, P.J.  
                      Neal, J.